

No. 5:23-CV-701-BO

Defendant.

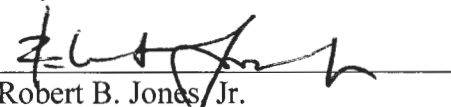
ORDER

Case 5:23-cv-00701-BO-RJ Document 140 Filed 02/26/25 Page 1 of 2

completeness of a response and not whether a response is factually accurate. *See* Fed. R. Civ. P. 36(a)(6); *Watkins v. Lincare, Inc.*, No. 3:22-CV-00109, 2023 WL 5490181, at *2 (S.D.W. Va. Aug. 24, 2023) (“The analysis into whether the answers or objections are sufficient focuses on the specificity of the response and not on whether the response is factually correct.”) (quoting *Bolick v. Thompson*, No. CV 5:20-2888-RBH-KDW, 2022 WL 20016085, at *2 (D.S.C. Feb. 4, 2022)). “If a party believes a response to a request to admit is incorrect, the appropriate remedy under Rule 26 is to prove the matter at trial, and then apply to the court for reasonable expenses, including reasonable attorney fees, in making that proof.” *Id.* (quoting *Mayes v. City of Hammond, Indiana*, No. 2:03-CV-379-PRC, 2006 WL 2251877, at *2 (N.D. Ind. Aug. 1, 2006)).

Finally, where the parties dispute whether the meet and confer requirement has been satisfied, the court finds that further good faith discussions between the parties are likely to render efficiencies by reducing or eliminating the issues in dispute. *See* Fed. R. Civ. P. 1 (providing the Rules should be “employed by the court and the parties to secure the just, speedy, and inexpensive determination of every action and proceeding.”). Therefore, the parties shall promptly meet and confer regarding the RFAs and RFPs in dispute, and should any unresolved issues remain, Plaintiff may renew the motions but is cautioned that they must be supported with the specific requests and Defendant’s responses. Accordingly, the motions are denied without prejudice for failure to comply with Local Civ. R. 7.1(c)(2).

SO ORDERED, the 25 day of February, 2025.


Robert B. Jones, Jr.
United States Magistrate Judge